

SEP 21 3 33 PM '98

Office of General Counsel
Federal Election Commission
999 E. Street Northwest
Washington, D.C. 20463

9/16/98

Reference: MUR 4800

Dear Sir or Madam:

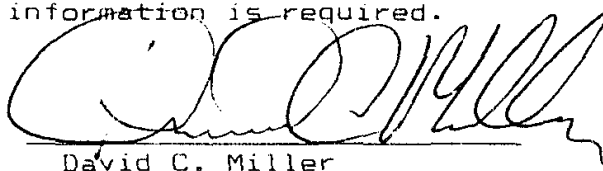
I request that no action be taken against me under the Federal Election Campaign Act of 1971.

My reason for this request is that it is my belief that no election campaign law was broken by my various contributions to the "Nick Smith for Congress Committee", recited as Item No. 39 in the complaint of John Anthony La Pietra dated 8/24/98.

That complaint recites contributions totalling \$1100.00 over a period from 4/22/92 to 7/21/93, but fails to include my wife, Sheri Lynn Miller, for whom one half the contributions were made.

It was our direction, and intention, at the time these contributions were made, that one half of said contributions would be attributed to her. (see affidavit attached). This we understood was authorized by the Campaign Election Law.

We thank you for this opportunity to respond to these allegations, and stand ready to document this response in all respects if more information is required.



David C. Miller

Office of General Counsel
Federal Election Commission
999 E. Street Northwest
Washington, D.C. 20463

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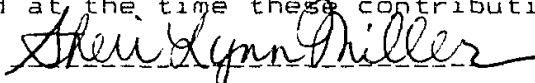
AFFIDAVIT OF SHERI LYNN MILLER

I, Sheri Lynn Miller, hereby swear and depose that my husband, David C. Miller, and myself attended various fund raising functions for the "Nick Smith for Congress Committee" during the period from 1992 to present.

During these functions we were always informed that each spouse could make campaign contributions so long as neither exceeded the campaign limits of \$1000.00 each.

Contributions sent in by us were always directed, and intended to be contributions from us both in equal amounts.

This was my understanding of the law, and the intention of both myself and my husband at the time these contributions were made.



Sheri Lynn Miller

STATE OF MICHIGAN)
COUNTY OF JACKSON) ss.

Sworn to and subscribed to before me, a Jackson County Notary Public, this date of 9/16/98 by Sheri Lynn Miller, a person by me personally known, who did state that the comments made above are true according to her best knowledge, information, and belief.



Carl Conrad, Notary Public
Jackson County, Michigan

My commission expires; 11/30/98